

incorporating the specific recitations of the releasable and locking mechanism of claim 2; by reciting that the mechanism can be secured into a locked an open position; by clarifying the relationship among the wheels; and by correcting the "seat means" to "seating means". Specific support for the relationship among the wheels can be found, for example, page 6, line 28; on page 9, line 16; as well as throughout the specification. In addition, claim 1 has been placed into an outlined format and "the center" changed to "a center".

Claim 2 has been amended to recite that the mechanism can be secured into a locked an open position. Specific support for this amendment can be found, for example, on page 6, line 18.

Claim 3 has been amended to language consistent with base claim 2.

Claim 5 has been amended by changing "the rotational freedom" to "rotation" and by changing "rotational sense" to "direction". Specific support for this amendment can be found, for example, on page 7, lines 26-28.

Claim 6 has been amended by changing "unconstraining the rotational freedom" to "allowing said followers to rotate".

Claim 7 has been amended by changing "its highest possible" to "the locked and open position of the mechanism".

Specific support for this amendment can be found, for example, on page 8, lines 1-6.

Claim 8 has been amended by changing "the force of gravity" to "a force" and by deleting "depending on the orientation of the said releasable locking and folding mechanism with respect to the force of gravity". Claim 8 has also been amended to conform with claim 2 by changing "assemblies" to "members" and by changing "locked position" to "locked and open position".

In claim 11, "the" has been deleted before "rotation".

In claim 14, the expression "thereby allowing the wheel to be removed from the axle" has been added. Specific support for this amendment can be found, for example, on page 9, lines 20-21.

In claim 16, the expression "wherein said rotating piece has an open position rotational limit and a deployed position rotational limit" has been added. Specific support for this amendment can be found, for example, on page 9, lines 3-9.

In claim 18, the expression "the open position rotational limit or the deployed position rotational limit" has been added to conform with amended claim 16.

Thus, no new matter has been added by any of these amendments.

Drawings

On page 2, in numbered paragraph 1, of the Official Action, the Examiner objects to the drawings under 37 CFR 1.83(a) on the grounds that the drawings fail to show elements described in the specification.

In response, Applicants are submitting herewith an Amendment to Correct Drawings. In view of the Amendment to Correct Drawings, it is respectfully requested that this objection be withdrawn.

Rejections under 35 USC 112, second paragraph

On pages 2-3, in numbered paragraph 2, of the Official Action, the Examiner rejects claims 1, 3 and 5-18 under 35 USC 112, second paragraph, as being indefinite. In the first part of this rejection, the Examiner states:

In Claim 1, the word "means" is preceded by the words(s) "seat" in an attempt to use a "means" clause to recite a claim element as a means for performing a specified function. However, since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).

In response, Applicants have amended claim 1 to recite "means for seating".

In the second part of this rejection, the Examiner states:

In Claim 5, it is unclear why the "lack of gear teeth" would necessarily limit the meshing components in the "opposite rotational sense". Moreover, the mechanism's "locked and open position" is not described/defined.

In response, Applicants note that the lack of gear teeth limits the meshing geared components in an opposite direction by preventing further rotation between elements 13 and 14 (the two flats make contact, as shown in Figure 2 and discussed on page 7, lines 26-28, of the specification.

In addition, Applicants have amended claim 2 to provide the necessary antecedent basis for "locked and open position" in claim 5.

In the third part of this rejection, the Examiner states:

In Claim 6, the recitation, "unconstraining the rotational freedom...against said spring-loaded piston", is incomprehensible. Moreover, the mechanism's "locked position" is not described/defined.

In response, Applicants have amended claim 6 by changing "unconstraining the rotational freedom" to "allowing said followers to rotate". In addition, Applicants have amended claim 2 to provide the necessary antecedent basis for "locked and open position" in claim 6.

In the fourth part of this rejection, the Examiner states:

In Claim 8, it is unclear what is meant by "the force of gravity", and, the recitation "depending on the orientation of the...mechanism" in that such gravity is always imposed on all/any elements. Again, the mechanism's "locked position" is not described/defined.

In response, Applicants have amended claim 8 by changing "the force of gravity" to "a force" and by deleting "depending on the orientation of the said releasable locking and folding mechanism with respect to the force of gravity". In addition, claim 8 has been amended to "locked and open position" to conform to base claim 2.

In the fifth part of this rejection, the Examiner states:

In Claim 14, the operation of removing the rear wheels is unclear, and is unsupported by structure.

In response, Applicants have amended claim 14 by adding the expression "thereby allowing the wheel to be removed from the axle". It is respectfully submitted that the hub assembly 40, spring-loaded pin 42, spring 43, notch 52 and axle 51 are disclosed in Figure 6 and described in detail on page 9, lines 10-23, of the specification.

In the sixth part of this rejection, the Examiner states:

In Claim 18, the "either of the constrained rotational limits" are not described/defined.

In response, Applicants have amended claim 16 to recite "wherein said rotating piece has an open position rotational limit and a deployed position rotational limit." Applicants have amended claim 18 to conform to amended claim 16.

In the seventh part of this rejection, the Examiner states:

The following elements lack antecedent basis:
in Claim 1 - "the center", "its own axle",
in Claim 3 - "one...assembly",
"another...assembly", "third...assembly",
in Claim 5 - "the rotational freedom", "the opposite", "its locked...",
in Claim 6 - "the rotational freedom", "its locked position",
in Claim 7 - "its highest...",
in Claim 8 - "the force", "the orientation",
"its locked position",
in Claim 9 - "the front wheel", "the rear wheels",
in Claim 11 - "the rotation",
in Claim 12 - "the hub",
in Claim 18 - "the constrained".

In response, Applicants have amended the claims to provide to necessary antecedent basis for each of the above, with the exception of claim 12. It is respectfully submitted that "a hub assembly" in claim 11 provides the necessary antecedent basis for "the hub assembly" in claim 12.

In view of the above-described amendments and comments, it is respectfully requested that these rejections be withdrawn and that claims 1, 3 and 5-18 be allowed.

Rejections under 35 USC 102(b)

On pages 3-4, in numbered paragraph 3, of the Official Action, the Examiner rejects claims 1, 9-12, 14 and 15 under 35 USC 102(b) as being anticipated by Eichhorn (U.S. Patent 5,590,896). In this rejection, it is the position of the Examiner that each and every element of claims 1, 9-12, 14 and 15 is disclosed by the cited reference.

In response, Applicants have amended claim 1 to incorporate the specific recitations of the releasable and locking mechanism of allowed claim 2. It is respectfully submitted that the cited reference does not disclose the releasable and locking mechanism of amended claim 1. Claims 9-12, 14 and 15 depend from claim 1. It is, therefore, respectfully requested that this rejection be withdrawn and that claims 1, 9-12, 14 and 15 be allowed.

Rejections under 35 USC 103(a)

On pages 5-6, in numbered paragraph 4, of the Official Action, the Examiner rejects claims 16-18 under 35 USC 103(a) as being unpatentable over Eichhorn (U.S. Patent 5,590,896) in view of Sack (U.S. Patent 5,687,985). In this rejection, it is the position of the Examiner that claims 16-18 are obvious over the combination of the teachings of the cited references.

In response, Applicants have amended claim 1 to incorporate the specific recitations of the releasable and locking mechanism of allowed claim 2. It is respectfully submitted that the combination of the teachings of the cited references does not disclose or suggest the releasable and locking mechanism of amended claim 1. Claims 16-18 depend from claim 1. It is, therefore, respectfully requested that this rejection be withdrawn and that claims 16-18 be allowed.

Allowable Claims

On page 6, in numbered paragraph 5, of the Official Action, the Examiner indicates that claims 2 and 4 are allowable and that claims 3, 5-8 and 13 would be allowable if rewritten to overcome the rejection(s) under 35 USC 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims.

In response, Applicants have amended claims 1, 3, 5-8, 11, 14, 16 and 18 so that all claims contain the releasable locking and folding mechanism of allowed claim 2. In addition, it is respectfully submitted that the claim amendments have overcome the rejections under 35 USC 112, second paragraph.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and a Notice to that effect is earnestly solicited.

Should any matters remain in this application which might be resolved by interview, the Examiner is requested to telephone the undersigned at 570-386-5744.

Respectfully submitted,

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